GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Vijayawada Municipal Corporation – Allegations of irregularities in construction/building deviations against approved plans in Vijayawada Municipal Corporation - Departmental Proceedings initiated against Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired), Vijayawada Municipal Corporation - Inquiry conducted - Imposition of penalty of "withholding of 3% pension for a period of one (1) year" under Rule-9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.1) DEPARTMENT

G.O.Rt.No.905 **Dated.20-12-2023.**

Read the following:

1. From the D.G., G.A. (V&E) Department, Vigilance Report No.6, (C.No.693/V&E/D1/2010), Dated:05.01.2015.
2. G.O.Rt.No.724, MA&UD (Vig.I) Dept., Dated.23.12.2016.
3. WSD of Sri P.N.S.Sai Babu, the then ACP-II, VMC, dated: 23.11.2018.
4. G.O.Rt.No.249, MA&UD (Vig.II) Dept., Dated.15.03.2019.
5. Inquiry Report of Sri B.Balaji, Joint Director, O/o. APRERA, Vijayawada received through the DTCP, A.P. Guntur, Lr.Roc.No.3898/2012/V.Cell, dated.16.07.2021.
6. Govt. Memo.No. 85814/Vig.II/2015, Dated.07.06.2022.
7. Written representation dated: 28.07.2022 of Charged Officer Sri P.N.S.Sai Babu, the then ACP-II (Now retired), VMC, received through DTCP., A.P., Lr.Rc.No. 3898/2016/V.Cell, Dt: 08.08.2022.
8. Govt. Memo.No. 85814/Vig.II/2015/A1(E-91767), Dated.18.04.2023.
9. Written representation of Sri P.N.S.Sai Babu, the then ACP-II (Now retired), VMC, dated 01.05.2023.
10. Govt. Letter No. 85814/Vig.II/2015/A1(E-91767), Dated 23.06.2023.
11. From the Secretary, APPSC, Vijayawada, Letter No.GAD03-APPS0DCC/74/2023-DC.SEC-APPSC (Computer No.2155754), dt:26.09.2023.

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O R D E R:

Based on the report of G.A. (V&E) Department, in the reference 1st cited, disciplinary action has been initiated against Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired), Vijayawada Municipal Corporation, on the allegations of irregularities in construction/building deviations against approved plans in the Vijayawada Municipal Corporation vide reference 2nd cited.

2. In the reference 3rd cited, the charged officer submitted his explanation and among others, requested the Government to drop further action in the matter.

3. In the reference 4th cited, Government appointed Sri B.Balaji, Joint Director, O/o. APRERA, Vijayawada, as an Inquiry Officer to inquire into the charges framed against Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired) and other Town Planning Officials of Vijayawada Municipal Corporation. The Inquiry Officer conducted inquiry and submitted his report, in reference 5th cited.

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4. Government after careful examination of the Inquiry Report, submitted by the Inquiry Officer, observed certain disagreement factors and accordingly, disagreed with the findings of Inquiry Officer.

5. In the reference 6th cited, a copy of inquiry report along with disagreement factors was communicated to the charged officer Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired), Vijayawada Municipal Corporation, with a direction to submit his written representation, if any, on the findings of the Inquiry Officer and the disagreement factors observed by the Government, in terms of Rule 21 (2) of APCS (CCA) Rules, 1991.

6. In the reference 7th read above, Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired), Vijayawada Municipal Corporation, submitted his written representation requesting to drop further action against him.

7. Government have examined the written representation of Charged Officer, keeping in view the findings of the Inquiry Officer, and disagreement factors observed by the Government and provisionally decided to impose a penalty of "withholding of 3% pension for a period of one (1) year" against Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired), Vijayawada Municipal Corporation, in terms of Rule-9 of AP Revised Pension Rules, 1980, since the written representation is not convincing.

8. In the reference 8th read above, a show cause notice has been issued to Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired), Vijayawada Municipal Corporation, as to why the above said penalty cannot be imposed against him under Rule 9 of A.P. Revised Pension Rules, 1980. In reply, the Charged Officer submitted his explanation in the reference 9th read above and requested to consider the facts in his case sympathetically and drop further action on the proposed penalty.

9. After careful examination of the inquiry report, disagreement factors and the written representation of the Charged Officer and after following due procedure, Government has decided to impose a penalty of "withholding of 3% pension for a period of one (1) year" against , Sri P.N.S.Sai Babu, the then Assistant City Planner-II (Now retired), Vijayawada Municipal Corporation, as he has not put forth any new grounds in his explanation to the Show Cause Notice. and the explanation is nothing but reiteration of his written representation in the reference 7th read above.

10. In the reference 10th read above, while furnishing the case details and entire record, the APPSC, Vijayawada, has been requested to convey their concurrence for imposing the penalty of "withholding of 3% pension for a period of one (1) year" against the Charged officer, as per Rules in force. In the reference 11th read above, the Secretary, APPSC, Vijayawada, has informed that the Commission after thorough examination opined that Sri P.N.S.Saibabu, the then ACP, VMC (Retired), has continuously failed to do his duties and over looked several deviations and violations in the building construction norms which are willful and purposeful reflecting as moral turpitude, apart from gross misconduct and failure in the discharge of his duties and responsibilities. The punishment proposed is not commensurate to the delinquency. Whereas a punishment of at least 10% cut permanently in pension should be imposed.

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11. Government have examined the matter; keeping in view of the advice of the A.P.P.S.C. and observed that the Govt., i.e., disciplinary authority after careful examination of the entire matter, has taken a provisional decision in imposing the penalty of withholding of 3% pension for a period of (1) year against Sri P.N.S. Saibabu, the then ACP, VMC.(Retired), duly considering the gravity of charges, worked period, findings of Inquiring Authority, written representation of the charged officer, roles and responsibilities of the charged officer and observations made by the department.

12. After careful consideration of the matter, Government have decided to confirm the provisional decision of the Government to impose the penalty of withholding of 3% pension for a period of (1) year against Charged Officer.

13. Accordingly, Government hereby impose a penalty of "withholding of 3% pension for a period of (1) year" against Sri P.N.S. Saibabu, the then ACP,(now Retired), Vijayawada Municipal Corporation, under Rule-9 of A.P. Revised Pension Rules, 1980.

13. The Director of Town and Country Planning, A.P, Mangalagiri, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.N.S. Saibabu, the then ACP,(now Retired),
Vijayawada Municipal Corporation. **through** the DTCP, Mangalagiri.
The Director of Town & Country Planning, A.P., Mangalagiri.

Copy to:

The Secretary, A.P.P.S.C.
2nd Floor, MG Road ,Opp Indira Gandhi Municipal Stadium ,
New R&B Building M.G.Road Vijayawada, NTR District.
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, 5th Block, A.P. Secretariat.
SF / SC.

//FORWARDED BY ORDER//

SECTION OFFICER.